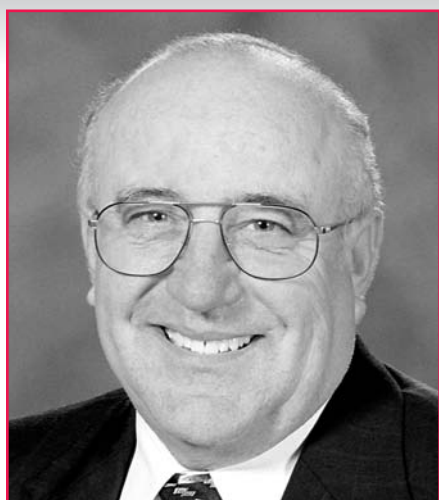


Michigan Agriculture News



FROM STATE SENATOR

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Jelinek Supports Food Processors

Michigan has a wide range of food processing facilities. The Senate recently corrected a flaw in the law to better protect these businesses. Under a new law, processors operating in compliance with the Michigan Environmental and Natural Resources Protection Act and the Michigan Food Law are safe from frivolous lawsuits. Previously, a loophole created by the lack of state-issued generally accepted processing practices allowed nuisance lawsuits to be filed against some processors. In addition, the law now requires complainants to exhaust all administrative remedies before taking a complaint to court.

Under Public Acts 282 and 283 of 2005, food processors can focus their time and energy on their operations, not the cost of frivolous lawsuits.

Changes to Composting Law

Legislation I introduced last year and was signed into law as Public Act 66 of 2005 which amended the "disposal of dead animals and other matters" act. This new act provides for the disposal of dead animals by "composting methods" rather than by processing by "composing structures." It also revises provisions pertaining to composting animals together and it requires the Michigan Department of Agriculture to promulgate rules in this manner as well. To read the bill's full text visit this url:

[http://www.legislature.mi.gov/\(pxfwyv4523tksv45i1dd1455\)/mileg.aspx?page=getobject&objectname=2005-SB-0002&queryid=13524882](http://www.legislature.mi.gov/(pxfwyv4523tksv45i1dd1455)/mileg.aspx?page=getobject&objectname=2005-SB-0002&queryid=13524882) The Department expects to have the rules completed by xxxxxx.

Miscellaneous News:

- Michigan's Agritourism site is now open: www.michigan.gov/agtourism
- Do you have questions about Michigan's Mandatory Cattle Identification Program? Visit my webpage at www.senate.michigan.gov/jelinek and click on Capitol News then select the link for this program.
- Wine sales legislation has now been signed into law. You might find the information about the wine industry contained on the MDA's website, www.mda.state.mi.us/michiganwines/resources to be very helpful.

PENDING LEGISLATION

By now you may know that the legislature is currently considering a package of bills, HB5711, HB5712, HB5713, HB5714, HB5715, HB5716, that would take away authority over certain environmental laws regarding the agriculture industry and from the Department of Environmental Quality and place it with the Department of Agriculture. If you have time, please review these bills and let me know your thoughts on this issue.

[www.legislature.mi.gov/\(q33a0t55dyckin55yemzvdyr\)/mileg.aspx?page=getobject&objectname=2006-HB-5711&queryid=13523989](http://www.legislature.mi.gov/(q33a0t55dyckin55yemzvdyr)/mileg.aspx?page=getobject&objectname=2006-HB-5711&queryid=13523989)

The legislature also has bills introduced that would provide for stricter regulation of CAFO's operations. The list of bills can be found at this address. Again, your input would be welcome.

Facts and Figures

- *Agriculture is the state's second largest industry, accounting for \$60.1 billion in total economic activity (direct and indirect) annually.*
- *Michigan is the second most diverse agricultural state, producing more than 125 food and fiber products.*
- *Overall, Michigan's agri-food system employs 1.05 million, nearly a quarter of all persons working in Michigan.*
- *One third of the crops grown in Michigan are exported each year.*



State Senator

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Jelinek Protects Michigan Waters and Businesses

Senate legislation recently passed into law provides for the regulation of new withdrawals of large quantities of water from the state's waterways. Public Acts 33-37 of 2006 are part of a long term effort to protect Michigan's waters and the people and businesses that depend on them. The laws create standards for new water withdrawals and will require permits in some instances, but grandfather in all existing users. Farmers will benefit from these regulations and the protections it offers them when using water for crop irrigation and livestock by exempting all current users from the new regulations and providing certainty that new users use our waters wisely.

Senate Republicans worked to ensure the concerns of the agriculture community were fully addressed throughout the process. The industry was recognized for its strong stewardship of water resources. In fact, the new laws encourage other water use sectors to develop practices similar to the Michigan Agriculture Environmental Assurance Program.

Water is Michigan's most important natural resource and our greatest "natural" economic advantage. For more information on the legislation, contact my office toll-free at 1-866-305-2121 or by e-mail at senjelinek@senate.michigan.gov.

Protection from Fertilizer Theft

Farmers who comply with standards for the storage of anhydrous ammonia would be protected from liability under Senate legislation. Senate Bill 877 would require the Commission of Agriculture to issue the safety and storage security practices.

Anhydrous ammonia is a popular target of thieves for use in the illegal manufacture of methamphetamine. Serious injury can occur if it is handled improperly. Several hazardous incidents have been reported in the wake of thefts of the chemical in recent months.

The bill would allow farmers to continue using this inexpensive, highly efficient fertilizer without fear of litigation. The legislation has been sent to the House for consideration.

Senate Supports Safety on the Road

Farm equipment sold after January 1, 2007 must soon meet higher standards for lighting and marking while traveling or operating on highways under Senate legislation recently signed into law. Public Act 14 of 2006 adopts the revised uniform standards developed by the American National Standards Institute (ANSI) and the American Society of Agricultural Engineers (ASAE). These standards improve recognition of farm vehicles both at night and during the day, making the highways safer for operators and other highway drivers.

Ohio, Illinois and Indiana have already adopted similar legislation and the issue is under active consideration in several other states. Uniform standards would help ease the interstate movement or sale of farm equipment. Check out the new standards at www.michigan.gov/sos. Click on "Services to Businesses" then click on "Specialized Services."

Bio-fuels in the News

Legislation that will revitalize Michigan's agriculture industry and make renewable fuels widely available has been introduced in the Michigan Senate. This legislation will allow for ten new renaissance zones in Michigan to be used specifically for manufacturing alternative energy. This will increase the supply of E85, an 85-percent blend of ethanol, for Michigan business and industry. Ethanol is a clean-burning, high-octane fuel produced primarily from corn kernels. Other legislation in the package focuses on B5, a 5-percent blend of bio-diesel. Bio-diesel is a cleaner-burning diesel fuel made from natural renewable sources, such as soybean products. The bills provide motor fuel tax exemptions—7 cents off the 19-cent motor fuel tax on E85 and 3 cents off the 15-cent motor fuel tax on bio-diesel, making it possible for the retailer to offer these fuels at a lower price than regular unleaded gasoline. It will also create the E85 infrastructure development program, to assist dealers in converting existing gas station pumps or construction of new pumps to E85 (match up to \$2,000) or changes at the terminal for bio-diesel (match up to \$15,000).